

AMENDED IN ASSEMBLY AUGUST 24, 2006

SENATE BILL

No. 1142

**Introduced by ~~Committee on Budget and Fiscal Review~~ Senator
Alquist**

January 10, 2006

An act ~~relating to the Budget Act of 2006~~ *to add and repeal Article 4 (commencing with Section 99245) of Chapter 5 of Part 65 of the Education Code, relating to instructional programs.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1142, as amended, ~~Committee on Budget and Fiscal Review Alquist. Budget Act of 2006~~ *Instructional programs: Science Teacher Development Act.*

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2006.~~

Existing law establishes the Mathematics and Reading Professional Development Program, which is administered by the Superintendent of Public Instruction with the approval of the State Board of Education. Under this program, a local education agency, as defined, receives incentive funding to provide training in mathematics and reading to teachers and to provide training to instructional aides and paraprofessionals, as defined, who directly assist with classroom instruction in mathematics and reading.

This bill would establish the Science Teacher Development Program by enacting provisions relating to science instruction that are similar to the existing Mathematics and Reading Professional Development Program. The bill would make the Science Teacher Development Program inoperative on July 1, 2012, and repeal it on January 1, 2013.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 4 (commencing with Section 99245) is
2 added to Chapter 5 of Part 65 of the Education Code, to read:

3
4 Article 4. Science Teacher Development Act
5

6 99245. This article shall be known and may be cited as the
7 Science Teacher Development Act.

8 99246. For the purposes of this article, the following terms
9 have the following meanings:

10 (a) "Instructional aide" means a person who is employed on
11 either a full-time or a part-time basis for the purpose of directly
12 assisting with classroom instruction in mathematics, reading, or
13 science in a California public school in which kindergarten or
14 any of grades 1 to 12, inclusive, are taught, and who does not
15 possess a valid teaching credential, certificate, authorization, or
16 permit issued by the Commission on Teacher Credentialing, and
17 does not include a paraprofessional, as defined in subdivision
18 (d).

19 (b) "Instructional materials that are aligned to state
20 standards" means, for grades 1 to 8, inclusive, materials adopted
21 by the state board after January 1, 2001, unless otherwise
22 authorized by the state board. For grades 9 to 12, inclusive,
23 "instructional materials that are aligned to state standards"
24 means materials that the governing board of the local education
25 agency has, after careful review, certified are aligned to the state
26 reading, mathematics, or science content standards and the
27 curriculum frameworks for these subjects.

28 (c) "Local education agency" means a school district, county
29 office of education, state special school, or charter school.

30 (d) "Paraprofessional" means a teacher aide, a teacher
31 assistant, or a speech language pathology assistant who is
32 employed on either a full-time or a part-time basis for the
33 purpose of directly assisting with classroom instruction in
34 mathematics, reading, or science in a California public school in
35 which kindergarten or any of grades 1 to 12, inclusive, are

1 taught, and who does not possess a valid teaching credential,
2 certificate, authorization, or permit issued by the Commission on
3 Teacher Credentialing.

4 (e) “Teacher” means a person who holds a valid teaching
5 credential, certificate, authorization, or permit issued by the
6 California Commission on Teacher Credentialing, and is
7 employed on either a full-time or a part-time basis in a
8 California public school in which kindergarten or any of grades
9 1 to 12, inclusive, are taught.

10 99247. (a) The Science Teacher Development Program is
11 hereby created, and shall be administered by the Superintendent
12 of Public Instruction with the approval of the state board.

13 (b) A local education agency that maintains kindergarten or
14 any of grades 1 to 12, inclusive, is eligible to apply for and
15 receive incentive funding from funds appropriated for the
16 purpose of this article.

17 (c) From funds appropriated for the purpose of this article, the
18 Superintendent of Public Instruction shall award funding to
19 provide teachers, and instructional aides and paraprofessionals
20 who directly assist with classroom instruction in science, with
21 instruction and training in science.

22 99248. (a) This program is intended to serve the following
23 categories of staff:

24 (1) Teachers employed in a public school for the purpose of
25 teaching in a self-contained classroom that serves pupils in
26 kindergarten or any of grades 1 to 8, inclusive. Teachers
27 described in this paragraph are eligible to receive instruction in
28 science.

29 (2) Teachers employed in a public school for the purpose of
30 providing science instruction to pupils with disabilities. Teachers
31 described in this paragraph are eligible to receive instruction in
32 science.

33 (3) Teachers who hold a single-subject teaching credential,
34 certificate, or authorization issued by the Commission on
35 Teacher Credentialing that authorizes them to teach science in a
36 classroom that is not self-contained and who are employed in a
37 public school. Teachers described in this paragraph are eligible
38 to receive instruction in science.

39 (4) Holders of one-year emergency teaching permits and
40 emergency career substitute teaching permits who are employed

1 in a public school and assigned to teach science courses in a
2 classroom that is not self-contained. Teachers described in this
3 paragraph are eligible to receive instruction in science.

4 (5) Instructional aides and paraprofessionals who directly
5 assist with classroom instruction in science who are employed in
6 a public school for the purpose of assisting teachers in the
7 instruction of pupils in kindergarten or any of grades 1 to 12,
8 inclusive.

9 (b) Holders of emergency 30-day substitute teaching permits
10 issued by the California Commission on Teacher Credentialing
11 are not eligible to receive training offered pursuant to this
12 article.

13 99249. (a) (1) The Superintendent of Public Instruction shall
14 notify local educational agencies that they are eligible to receive
15 an incentive award based on the percentage of eligible teachers
16 calculated in accordance with provisions of an item of
17 appropriation in the annual Budget Act.

18 (2) It is the intent of the Legislature that funding appropriated
19 in one fiscal year that is not expended by a local educational
20 agency be redirected to local educational agencies that have
21 trained more eligible teachers than the percentage funded. If a
22 redirection of funding occurs, funding in subsequent fiscal years
23 for the local educational agencies involved shall be adjusted to
24 reflect the redirection of funding.

25 (b) A school district that cannot make the certification
26 required pursuant to paragraph (3) of subdivision (a) of Section
27 99251 for all the grade levels it maintains in science may apply
28 for and receive incentive funding for the grade levels and
29 subjects for which it can make the certification required pursuant
30 to paragraph (3) of subdivision (a) of Section 99251, in which
31 case the certified assurance submitted pursuant to Section 99251
32 applies only to the professional development provided to
33 teachers, instructional aides, and paraprofessionals who directly
34 assist with classroom instruction in science in the grade levels
35 and subjects for which it can make the certification required
36 pursuant to paragraph (3) of subdivision (a) of Section 99251.

37 (c) Of the incentive provided pursuant to subdivision (a), a
38 local educational agency may use not more than one thousand
39 dollars (\$1,000) of the per teacher per subject amount to provide
40 an individual teacher stipend.

1 (d) *The Superintendent of Public Instruction shall notify local*
2 *educational agencies that the maximum funding for the purpose*
3 *of this article for which they are eligible each year is equal to the*
4 *percentage calculated in accordance with provisions of an item*
5 *of appropriation in the annual Budget Act, multiplied by the sum*
6 *of the following two factors multiplied by two thousand five*
7 *hundred dollars (\$2,500):*

8 (1) *Twice the number of multiple subjects teachers teaching in*
9 *a self-contained classroom and special education teachers, as*
10 *specified in paragraphs (1) and (2) of subdivision (a) of Section*
11 *99248, that provide direct instruction in science as reported in*
12 *the most recent available CBEDS data, who have not received*
13 *training pursuant to either this article or Article 2 (commencing*
14 *with Section 99220).*

15 (2) *The number of science teachers, as specified in paragraphs*
16 *(3) and (4) of subdivision (a) of Section 99248 that were reported*
17 *in the most recent available CBEDS data, who have not received*
18 *training pursuant to either this article or Article 2 (commencing*
19 *with Section 99220).*

20 (e) *The Superintendent of Public Instruction shall allocate*
21 *funding appropriated for the purposes of this article in the*
22 *following order of priority:*

23 (1) *Two thousand five hundred dollars (\$2,500) for each*
24 *qualifying teacher who was provided training pursuant to*
25 *subdivision (a) in the prior year for whom the local educational*
26 *agency did not receive funding due to insufficient availability of*
27 *funds in the prior fiscal year.*

28 (2) *Two thousand five hundred dollars (\$2,500) for each*
29 *qualifying teacher who was provided training pursuant to this*
30 *article, subject to the limitations in subdivision (d).*

31 (3) *Two thousand five hundred dollars (\$2,500) for each*
32 *qualifying teacher who was provided training pursuant to this*
33 *article in excess of limitations in subdivision (d).*

34 (f) *Funding may not be provided to a local educational agency*
35 *until the state board approves the certified assurance of the*
36 *agency submitted pursuant to subdivision (a) of Section 99251.*

37 (g) *Of the funding a local educational agency is eligible to*
38 *receive pursuant to this section for each eligible teacher, 50*
39 *percent shall be awarded following the provision of 40 hours of*
40 *professional development based on the statewide academic*

1 *content standards adopted pursuant to Section 60605, and*
2 *instructional materials adopted by the state board or*
3 *instructional materials that the governing board of the local*
4 *educational agency certifies are aligned to the state science*
5 *content standards and the curriculum frameworks for grades 9 to*
6 *12, inclusive, with the remaining funding to be awarded*
7 *following certification of the provision of the 80 hours of*
8 *followup instruction as specified in subdivision (b) of Section*
9 *99251. The 80 hours of training may be completed over a*
10 *two-year period.*

11 *(h) A local educational agency may not receive funds pursuant*
12 *to this article for teachers who receive training pursuant to*
13 *Article 2 (commencing with Section 99220) using funding*
14 *provided pursuant to that article.*

15 *99250. (a) The Superintendent of Public Instruction shall*
16 *notify local educational agencies that they are eligible to receive*
17 *funding to provide instructional aides and paraprofessionals who*
18 *directly assist with classroom instruction in science with*
19 *professional development training in science, in an amount equal*
20 *to one thousand dollars (\$1,000) per qualifying instructional*
21 *aide. Funding will be provided to local educational agencies on*
22 *a first-come, first-served basis. A local educational agency that*
23 *chooses to participate in the program is eligible to receive*
24 *funding for no greater than the percentage calculated in*
25 *accordance with provisions of an item of appropriation in the*
26 *annual Budget Act for its instructional aides and*
27 *paraprofessionals. However, the statewide total number of*
28 *instructional aides and paraprofessionals served under this*
29 *program who directly assist with classroom instruction in*
30 *science may not exceed 9,600 over two consecutive fiscal years.*

31 *(b) Of the incentive provided pursuant to subdivision (a), a*
32 *local educational agency may not use more than five hundred*
33 *dollars (\$500) of the amount per instructional aide and*
34 *paraprofessional who directly assists with classroom instruction*
35 *in science, to provide an individual instructional aide stipend.*

36 *99251. (a) As a condition of receipt of funds for purposes of*
37 *Section 99248 or 99249, a local education agency shall submit a*
38 *certified assurance signed by the appropriate agency official and*
39 *approved in a public session by the governing body of the agency*

1 to the state board that contains its proposal to satisfy the
2 following:

3 (1) It contracted with a provider whose training curriculum
4 was based upon one of the training models outlined in guidelines
5 and criteria for approval of training providers established by the
6 State Board of Education, and was approved by the state board,
7 or the local education agency's training curriculum was based
8 upon one of the training models outlined in guidelines and
9 criteria for approval of training providers established by the
10 State Board of Education, and approved by the state board.
11 Approval by the state board of the training curriculum shall be
12 based on the criteria contained in paragraph (4) and in
13 subdivision (b).

14 (2) It or the provider with whom it contracted provided
15 professional development training focused primarily on the
16 following:

17 (A) The science content standards adopted by the state board
18 pursuant to Section 60605.

19 (B) The curriculum frameworks adopted by the state board for
20 science.

21 (C) The training shall include instructional strategies to teach
22 essential content in ways that address the varied learning needs
23 of pupils, with special emphasis on English language learners
24 and pupils with disabilities.

25 (3) (A) It provides each pupil with instructional materials that
26 are aligned to the state content standards in science no later than
27 the first day of the first school term that commences 12 months or
28 less after those materials are adopted by the state board in the
29 case of instructional materials for grades 1 to 8, inclusive, or by
30 the governing board of the school district in the case of
31 instructional materials for grades 9 to 12, inclusive.

32 (B) For local education agencies that are piloting or
33 evaluating instructional materials that are aligned to the state
34 content standards in science, those materials shall be provided to
35 each pupil no later than the first day of the first school term that
36 commences 24 months or less after those materials were adopted
37 by the state board in the case of instructional materials for
38 grades 1 to 8, inclusive, or by the governing board of the school
39 district in the case of instructional materials for grades 9 to 12,
40 inclusive.

1 (C) If a local education agency has not adopted instructional
2 materials as required by subparagraph (A) for one or more
3 grade levels because it is piloting or evaluating those
4 instructional materials, the local education agency may only
5 claim funding pursuant to Section 99249 for grade levels and
6 subjects where the local education agency is in compliance with
7 subparagraphs (A) and (B).

8 (D) For each teacher, in each core area for which funding is
9 claimed pursuant to this article and for which there are not
10 standards-aligned textbooks for each pupil, as determined
11 through an audit, the Superintendent of Public Instruction, on a
12 one-time basis, shall withhold from the next monthly principal
13 apportionment payment to the local education agency an amount
14 equal to one hundred dollars (\$100) for each of those pupils. The
15 funds withheld are deemed to be an offset against the training
16 funds provided pursuant to this article.

17 (4) It provides in-house professional development that focuses
18 primarily on the following:

19 (A) The science content standards adopted by the state board
20 pursuant to Section 60605.

21 (B) The curriculum frameworks adopted by the state board for
22 science.

23 (C) The use of instructional materials that will be used by
24 pupils and are aligned to the science content standards adopted
25 by the state board pursuant to Section 60605.

26 (D) The training shall include instructional strategies
27 designed to help all pupils gain mastery of the California
28 academic content standards with special emphasis on English
29 language learners and pupils with exceptional needs.

30 (b) As an additional condition of receipt of funds for purposes
31 of Section 99249, a local education agency shall certify that:

32 (1) Forty hours of professional development based on the
33 statewide academic content standards adopted pursuant to
34 Section 60605, and instructional materials adopted by the state
35 board or instructional materials that the governing board of the
36 local educational agency certifies are aligned to the state science
37 content standards and the curriculum frameworks for those
38 subjects for grades 9 to 12, inclusive, and 80 hours of followup
39 instruction, coaching, or additional schoolsite assistance, in
40 science, as appropriate, was provided to teachers who meet the

1 *criteria specified in paragraphs (1) and (2) of subdivision (a) of*
2 *Section 99248.*

3 *(2) Forty hours of professional development that includes*
4 *strategies to help all pupils gain mastery of the California*
5 *content standards and based on the statewide academic content*
6 *standards adopted pursuant to Section 60605, the science*
7 *framework adopted by the State Board of Education, and*
8 *instructional materials adopted by the state board or*
9 *instructional materials that the governing board of the local*
10 *education agency certifies are aligned to the science content*
11 *standards and the curriculum frameworks for science for grades*
12 *9 to 12, inclusive, and 80 hours of followup instruction,*
13 *coaching, or additional schoolsite assistance, based upon the*
14 *individual teacher or school needs, was provided to teachers who*
15 *meet the criteria specified in paragraphs (3) and (4) of*
16 *subdivision (a) of Section 99248.*

17 *(c) If, as the result of a program audit, it is found that the*
18 *participating local education agency served fewer participants*
19 *than it was funded to serve, the Superintendent of Public*
20 *Instruction shall withhold from the next monthly principal*
21 *apportionment payment to the local education agency payment*
22 *an amount proportional to the amount of funding associated with*
23 *the number of teachers that were not served.*

24 *(d) If, as the result of a program audit, it is found that the*
25 *training provided by the local education agency or the provider*
26 *with whom it contracted did not meet the requirements of*
27 *paragraph (4) of subdivision (a), the Superintendent of Public*
28 *Instruction shall withhold from the next monthly principal*
29 *apportionment payment to the local educational agency an*
30 *amount equal to the amount of funding associated with the*
31 *training that was not aligned to state standards and curriculum*
32 *frameworks.*

33 *(e) It is the intent of the Legislature that audits referenced in*
34 *subdivisions (c) and (d) be conducted as part of a compliance*
35 *audit performed in accordance with Sections 14503, 14508, and*
36 *41020.*

37 *99252. (a) By June 30, 2008, the department shall submit,*
38 *subject to review and approval by the state board, a report to the*
39 *Legislature regarding the program established pursuant to this*

1 article for submission to the Legislature. The report shall, at a
2 minimum, detail all of the following:

3 (1) The number of teachers, by credential type, who have
4 received training offered pursuant to this article.

5 (2) The number of instructional aides and paraprofessionals
6 who directly assist with classroom instruction in science who
7 have received training offered pursuant to this article.

8 (3) The entities that have received funds for the purpose of
9 offering training pursuant to this article, and the number of
10 teachers, instructional aides, and paraprofessionals who directly
11 assist with classroom instruction in science that each has
12 trained.

13 (4) Information detailing the effectiveness of the program
14 established pursuant to this article. This information shall, at a
15 minimum, incorporate survey data concerning program
16 effectiveness and preprogram and postprogram pupil
17 achievement that has been gathered from program participants
18 and school principals.

19 (5) To the extent that information is available, information
20 detailing, by credential type, the retention rate of teachers who
21 participated in training offered pursuant to this article. The
22 information shall, at a minimum, incorporate sample data
23 concerning teachers who are no longer in the profession.

24 (6) To the extent that information is available, information
25 detailing the retention rate of instructional aides and
26 paraprofessionals who directly assist with classroom instruction
27 in science who participated in training offered pursuant to this
28 article. The information shall, at a minimum, incorporate sample
29 data concerning aides who are no longer in the profession, as
30 well as aides who have obtained a teaching credential
31 subsequent to the training.

32 (b) By December 31, 2012, the department shall submit,
33 subject to review and approval by the state board, a report to the
34 Legislature regarding the program established pursuant to this
35 article. The report shall, at a minimum, detail the following:

36 (1) The number of teachers, by credential type, who received
37 training offered pursuant to this article.

38 (2) The number of instructional aides and paraprofessionals
39 who directly assist with classroom instruction in science, and
40 who received training offered pursuant to this article.

1 (3) *The entities that received funds for the purpose of offering*
2 *training pursuant to this article and the number of teachers,*
3 *instructional aides, and paraprofessionals who directly assist*
4 *with classroom instruction in science, that each has trained.*

5 (4) *Information detailing the effectiveness of the program*
6 *established pursuant to this article. This information shall, at a*
7 *minimum, incorporate survey data concerning program*
8 *effectiveness that has been gathered from program participants*
9 *and school principals.*

10 (5) *To the extent information is available, information*
11 *detailing, by credential type, the retention rate of teachers who*
12 *participated in training offered pursuant to this article. The*
13 *information shall, at a minimum, incorporate sample data*
14 *concerning teachers who are no longer in the profession.*

15 (6) *To the extent information is available, information*
16 *detailing the retention rate of instructional aides and*
17 *paraprofessionals who directly assist with classroom instruction*
18 *in science, and who participated in training offered pursuant to*
19 *this article. The information shall, at a minimum, incorporate*
20 *sample data concerning aides who are no longer in the*
21 *profession, as well as aides who have obtained a teacher*
22 *credential subsequent to training.*

23 99253. *This article shall become inoperative on July 1, 2012,*
24 *and, as of January 1, 2013, is repealed, unless a later enacted*
25 *statute, that becomes operative on or before January 1, 2013,*
26 *deletes or extends the dates on which it becomes inoperative and*
27 *is repealed.*

28 SEC. 2. *It is the intent of the Legislature:*

29 (a) *That providers of the training provided pursuant to*
30 *subdivision (d) of Section 99249 of the Education Code and*
31 *subdivision (a) of Section 99250 of the Education Code, as*
32 *approved by the State Board of Education, shall primarily*
33 *emphasize the statewide content standards adopted pursuant to*
34 *Section 60605 of the Education Code. This emphasis includes*
35 *ensuring that providers of training also include content on all of*
36 *the following:*

37 (1) *The state-adopted curriculum frameworks.*

38 (2) *Ongoing monitoring assessments that inform teaching and*
39 *student progress.*

1 (3) *Early intervention techniques for pupils experiencing*
2 *difficulty.*

3 (4) *Instructional strategies to teach essential content to*
4 *address the valid learning needs of pupils, with emphasis on*
5 *English language learners and pupils with exceptional needs.*

6 (b) *To work with the State Board of Education and the State*
7 *Department of Education to achieve the goals set forth in*
8 *subdivision (a).*

9 ~~SECTION 1. It is the intent of the Legislature to enact~~
10 ~~statutory changes relating to the Budget Act of 2006.~~